



STATE OF WASHINGTON
ENERGY FACILITY SITE EVALUATION COUNCIL

PO Box 43172 • Olympia, Washington 98504-3172

PUBLIC NOTICE AND HEARING

On the

**PROPOSED MODIFICATION TO THE NATIONAL POLLUTANT DISCHARGE
ELIMINATION SYSTEM (NPDES) PERMIT**

For the

**DUKE ENERGY GRAYS HARBOR
SATSOP COMBUSTION TURBINE PROJECT**

- **Notice of Public Comment Period – September 8, 2003 to October 13, 2003**
- **Notice of Public Hearing – October 13, 2003, at Olympia, Washington**

Request for Modification of NPDES Permit

In accordance with the provisions of Chapter 80.50 and 90.48 of the Revised Code of Washington; Chapters 463 and 173 of the Washington Administrative Code; and the Federal Water Pollution Control Act as amended; **NOTICE** is hereby given that the Washington State Energy Facility Site Evaluation Council (EFSEC or Council) has received a request from Duke Energy Grays Harbor LLC and Energy Northwest (Applicant or Duke), 401 Keys Road, Elma, Washington, 98541, to modify National Pollutant Discharge Elimination System (NPDES) Permit No. WA-002496-1, issued for the Satsop Combustion Turbine Project.

NPDES Permit No. WA-002496-1 is a wastewater discharge permit for the Satsop Combustion Turbine (CT) Project, a 650 megawatt gas turbine power plant, located on 22 acres within an existing construction laydown area on the former Satsop Nuclear Power Plant site. Duke Energy Grays Harbor, LLC, owns and will construct the project. Energy Northwest will operate the project. The Grays Harbor Public Development Authority (PDA) now owns and administers most of the former Satsop Power Plant site, now called the Satsop Development Park.

Construction of the Satsop CT Project began in September 2001, and was placed in deferred construction in August 2002 at approximately 56% complete. Duke and Energy Northwest continue to maintain the site and equipment and facilities in the event a decision is made to resume construction. Environmental and public protection activities continue at the site to maintain compliance with Site Certification Agreement conditions and NPDES permit requirements.

The modifications requested by the Applicant to the existing NPDES permit include the following:

- Allow the discharge of construction stormwater to the PDA's C-1 Pond consistent with permit conditions and state regulations;
- Allow the discharge of operations stormwater to the C-1 Pond consistent with permit conditions and state regulations,
- Update monitoring, sampling and reporting requirements for both construction and operations stormwater; and
- Reflect the current status of several requirements where work has been completed or timeframes extended.

Tentative Determination to Modify Permit

The EFSEC Manager has made a tentative determination to modify the National Pollutant Discharge Elimination System (NPDES) Permit, No. WA-002496-1, for the Satsop CT Project, as proposed by the Applicant, subject to appropriate changes or adjustments as may result from public comments, the public hearing record, or the U.S. Environmental Protection Agency (EPA) review. Pursuant to Council regulation, the tentative determination is based on a draft permit that sets forth the following: 1) proposed effluent limitations; 2) schedules of compliance; and 3) other terms and special conditions. Details about this determination are contained in a fact sheet describing the amendments to permit conditions and any changes proposed for this facility.

Public Comment

The purpose of this notice is to inform the public and interested agencies that a fact sheet and draft permit are available for review. This notice also serves as an announcement of a public hearing that will be held on October 13, 2003, to consider all written and oral comments.

Copies of Fact Sheet and Draft Permit Available

Copies of the fact sheet and draft permit are on file in the Council Office, located at 925 Plum Street S.E., Olympia, Washington, 98504-3172, and are available for inspection and copying by any interested member of the public. Copies are available for public reference at the W.H. Abel Memorial Library, 125 Main Street South, Montesano, WA 98563-3794. Copies will also be mailed to persons or agencies upon request. These documents may also be viewed on EFSEC's internet site at: www.efsec.wa.gov.

Comments Invited

The Council invites interested persons to submit written comments concerning the tentative determination by the close of the hearing, Monday, October 13, 2003. Written comments should be mailed to:

Energy Facility Site Evaluation Council
Attention: Mike Mills
P.O. Box 43172
Olympia, WA 98504-3172

Comments may also be submitted by email at mikem@ep.cted.wa.gov.

The Council will consider all written comments submitted during the public comment period in formulating its final determination. The Council's response to all significant comments will be available upon request.

Public Hearing

NOTICE IS HEREBY GIVEN that a public comment hearing in this matter will be held at 1:30 p.m., Monday, October 13, 2003, at the Rowe Six Conference Center, Building 1, 4224 6th Avenue SE, Lacey, Washington. The hearing will be conducted in accordance with the Administrative Procedures Act, Chapter 34.05 Revised Code of Washington.

Council Action

After the close of the public hearing, the Council will consider the information before it and may reach a decision on modifying the permit in such form as it considers appropriate.

Washington State Energy Facility Site Evaluation Council

By _____
Allen J. Fiksdal
EFSEC Manager

Dated at Olympia, Washington this 8th day of September, 2003.